

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application Number : 10/771,284 Confirmation No.: 3238
Applicant : Richard ASSAKER et al.
Filed : February 5, 2004
Title : BONE PLATE ASSEMBLY
TC/Art Unit : 3731
Examiner: Unknown

Docket No. : 64118.000046
Customer No. : 21967

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants are submitting herewith copies of the references listed on the attached Form PTO-SB/08A for consideration and to be made of record herein by the U.S. Patent and Trademark Office in the above-captioned application.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08A with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

Applicants' submission of this Information Disclosure Statement shall not be construed as an admission that the cited references are prior art to the present invention, or that the cited references qualify as printed publications. The submission of this Information Disclosure Statement also shall not be construed as a representation that a prior art search has been performed.

In accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is being submitted prior to a first Office Action on the merits. Therefore, it is believed that no fee is required for consideration of this information. However, in the event any fee is deemed

necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: MAY 24, 2005

By:



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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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|------------------------|-----------------|
| Application Number | 10/771,284 |
| Filing Date | 02/05/2004 |
| First Named Inventor | Richard Assaker |
| Art Unit | 3731 |
| Confirmation No. | 3238 |
| Examiner Name | Unknown |
| Attorney Docket Number | 64118.000046 |

U.S. PATENT DOCUMENTS

| CITED DOCUMENTS | | | | | |
|--------------------|----------|--|--------------------------------|--|---|
| *Examiner Initials | Cite No. | DOCUMENT NUMBER Number - Kind Code (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

| *Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | TRANSLATION |
|--------------------|----------|--|-------------|
| | | Order on (1) Cross-Motions for Partial Summary Judgment re: Invalidity of the '602 Patent; (2) Plaintiff's Motion for Partial Summary Judgment re: Infringement of the '602 Patent, Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al., Case No. SA CV 03-110-GLT (ANx) (C.D. Cal. filed February 4, 2003). | |
| | | Order on (1) Cross-Motions for Partial Summary Judgment re: Infringement of the '786 Patent; (2) Cross-Motions for Partial Summary Judgment re: Invalidity and Unenforceability of the '786 Patent, Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al., Case No. SA CV 03-110-GLT (ANx) (C.D. Cal. filed February 4, 2003). | |

EXAMINED *[initials]*

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.